

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,	:	Criminal Case No. 08-821 (FSH)
	:	
	:	
v.	:	<u>ORDER</u>
	:	
ALEXEY ZAPOLSKY,	:	September 23, 2009
	:	
Defendant.	:	
	:	

HOCHBERG, District Judge

This matter having come before the Court upon Defendant's pretrial motions; and the Court noting that Defendant seeks an evidentiary hearing to determine the admissibility of the ICQ chat logs,

IT IS on this 23rd day of September, 2009,

ORDERED that each side file a two page brief by Monday, September 28, 2009, setting forth the proper way to authenticate chat logs (or other similar electronic evidence) under the Federal Rules of Evidence, citing relevant caselaw; and it is further

ORDERED that there will be a pretrial evidentiary hearing on Wednesday, September 30, 2009.

s/ Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.J.